

Message Text

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ACTION ARA-10

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CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DLOS-03 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 H-02 INR-07 INT-05 IO-10

JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-03 OMB-01

PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06 FEA-01 TRSE-00

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S E C R E T NASSAU 895

E. O. 11652: GDS

TAGS: MARR BF US

SUBJ: NAVFAC ELEUTHERA

REF: NASSAU 885

1. RECENT INFORMAL DISCUSSIONS BETWEEN GCOB MINISTER OF EXTERNAL AFFAIRS AND AMBASSADOR INDICATE GCOB WILL BE PREPARED TO RESUME FACILITIES NEGOTIATIONS IN THE NEAR FUTURE (SEE REFTEL). AMBASSADOR AND EMBASSY STAFF HAVE BEEN REVIEWING DRAFT AGREEMENTS, CABLES, ETC. AS PART OF THE EMBASSY'S IN-HOUSE WORK-UP SHOULD THE NEGOTIATIONS BE RESUMED ON SHORT NOTICE.

2. DURING THE REVIEW OF THE REVIEW OF THE DRAFT FACILITIES AGREEMENT, THE QUESTION WAS RAISED WITHIN THE EMBASSY AS TO WHAT LANGUAGE IN THE DRAFT FACILITIES AGREEMENT PROVIDES THE LEGAL BASIS FOR THE OPERATION OF UNDERWATER SURVEILLANCE

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SYSTEM AT NAVFAC ELEUTHERA. THE DRAFT FACILITIES AGREEMENT

STATES THE PURPOSE OF THE NAVFAC TO BE, "ESTABLISHING AND USING OCEANOGRAPHIC RESEARCH STATIONS FOR THE PURPOSE OF CONDUCTING A NAVAL PROGRAM OF OCEANOGRAPHIC RESEARCH DESIGNED TO ACQUIRE AND EVALUATE FUNDAMENTAL DATA OF A GENERAL DEFENSE INTEREST RELATING TO WATER CONDITIONS IN AREAS WHERE THIS INFORMATION IS LACKING, AND TO DEVELOP TECHNIQUES AND EQUIPMENT FOR ACQUIRING SUCH DATA FROM SHORE-BASED STATIONS AND FOR THE TRAINING OF PERSONNEL."

3. EMBASSY'S CONCERN IS TWOFOLD:

-- WHETHER THE GCOB HAS BEEN INFORMED THAT THE PRIMARY PURPOSE OF THE NAVAL FACILITY IS THE OPERATIONAL MISSION OF UNDERWATER SURVEILLANCE, AND IF SO, WHO IN THE GCOB, WHEN AND HOW EXTENSIVELY. EMBASSY UNDERSTANDS THAT PRIOR TO BAHAMIAN INDEPENDENCE, SEVERAL MEMBERS OF THE GCOB CABINET WERE BRIEFED REGARDING THE US FACILITIES IN THE BAHAMAS. DID THESE BRIEFINGS DISCUSS THE PRIMARY PURPOSE OF THE NAVY FACILITY OR DID THE BRIEFINGS EMPHASIZE THE RESEARCH ASPECT OF THE FACILITY?

-- WHETHER PRESENT LANGUAGE WHICH IDENTIFIES RESEARCH PURPOSES AS CONTRASTED TO OPERATIONAL UNDERWATER SURVEILLANCE IS CONSIDERED BY BOTH USG AND GCOB TO COVER THIS OPERATIONAL MISSION OR WHETHER THERE WAS SOME UNDERSTANDING WITH GCOB THAT PRESENT LANGUAGE WOULD BE INTERPRETED BY IT TO COVER THE UNDERWATER SURVEILLANCE MISSION? IF SO, WHAT IS THE BACKGROUND OF THAT UNDERSTANDING?

4. IF THE GCOB HAS NOT BEEN INFORMED ABOUT AND HAS NOT AGREED TO THE SOSUS MISSION OR THERE IS NO LANGUAGE IN THE AGREEMENT TO PROVIDE THE GCOB AND THE USG WITH LEGAL COVER, OR BOTH, THEN EMBASSY BELIEVES WE HAVE SOMEHOW OVERLOOKED INSURANCE AGAINST FUTURE DIFFICULTIES. IF AN ISSUE IS EVER RAISED OVER OUR PRESENCE AND WE DO NOT HAVE LEGAL BASIS AND GCOB UNDERSTANDING OF NATURE OF OUR OPERATION, WE COULD BE OPEN TO CHARGES OF BAD FAITH, AT BEST, OR ACCUSED OF ILLEGAL OPERATIONS, AT WORST, WHICH COULD JEOPARDIZE OUR POSITION HERE AND OUR RELATIONS GENERALLY.

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5. GCOB HAS NOT RAISED THIS SUBJECT NOR IS THERE ANY INDICATION THAT THE SUBJECT WILL BE RAISED. HOWEVER, AFTER TWO YEARS OF INDEPENDENCE, IT IS OBVIOUS THE GCOB HAS GAINED NEGOTIATING EXPERIENCE ON THE INTERNATIONAL SCENE AND IS BECOMING INCREASINGLY SOPHISTICATED AND CATHOLIC IN ITS DIPLOMATIC RELATIONS AND WE CANNOT EXCLUDE THE POSSIBILITY THAT IT WILL BE RAISED. IN ANY CASE, WE THINK WE OUGHT TO RAISE IT, OR REVIEW IT AS THE CASE MAY BE, WITH AT LEAST THE PRIME MINISTER

AND THE MINEXTAFF TO MAKE SURE WE ALL KNOW WHAT WE ARE TALKING ABOUT AND WHAT COMMITMENTS ARE BEING UNDERTAKEN, AT SOME APPROPRIATE TIME IN THE NEGOTIATIONS.

6. TO PRECLUDE ANY EMBARRASSMENT TO EITHER THE US OR GCOB WHICH WOULD BE DETRIMENTAL TO THE CONTINUED USE OF THE NAVFAC FOR UNDERWATER SURVEILLANCE, EMBASSY:

(A) REQUESTS THE DETAILS OF THE PRE-INDEPENDENCE BRIEFINGS CITED PARA 3 SPECIFICALLY THOSE THAT DISCUSSED THE MISSION OF THE NAVFAC; WHAT GCOB OFFICIALS WERE BRIEFED; AND WHETHER THERE WERE ANY COMMENTS MADE BY THE GCOB REGARDING THE OPERATIONAL MISSION OF THE NAVFAC.

(B) DEPENDING UPON RESPONSE TO A ABOVE, RECOMMENDS THAT IT BE AUTHORIZED TO RAISE THE SUBJECT WITH APPROPRIATE GCOB OFFICIALS IN THE COURSE OF THE NEGOTIATIONS.

(C) REQUESTS WASHINGTON'S VIEW AS TO WHETHER PRESENT LANGUAGE OF AGREEMENT DOES COVER OPERATIONAL UNDERWATER SURVEILLANCE MISSION AND, IF NOT, RECOMMENDS WE FIND A PHRASE TO PROVIDE LEGAL BASIS FOR THE ACTIVITY TO BE INSERTED IN THE DRAFT FACILITIES AGREEMENT AT AN APPROPRIATE TIME (WITH THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS BRIEFED AND IN AGREEMENT WITH THE CONTINUATION OF THESE ACTIVITIES THIS SHOULD POSE NO PROBLEM.)

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